Google Inc. et al v. Egger et al Doc. 472

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE NATIONAL SECURITY AGENCY TELECOMMUNICATIONS RECORDS LITIGATION	)	MDL Docket No. 06-1791 VRW
	)	
This Document Relates Solely To:	)	**DECLARATION OF JON B. EISENBERG IN SUPPORT OF MOTION PURSUANT TO 50 U.S.C. § 1806(f) TO DISCOVER OR OBTAIN MATERIAL RELATING TO ELECTRONIC SURVEILLANCE**
Al-Haramain Islamic Foundation, Inc., et al. v. Bush, et al. (C07-CV-0109-VRW)	)	
AL-HARAMAIN ISLAMIC FOUNDATION, INC., et al.,	)	Date: Tuesday, December 2, 2008 Time: 10:00 a.m. Court: Courtroom 6, 17th Floor Honorable Vaughn R. Walker

Dockets.Justia.com

Plaintiffs,)
vs.)
)
GEORGE W. BUSH, President of the United States, et al.,)
)
Defendants.)
______________________________)

I, Jon B. Eisenberg, am one of the attorneys for plaintiffs in this action. I have personal knowledge of the matters attested to in this declaration, and I am legally competent to testify to the matters stated herein. I make this declaration in support of plaintiffs' Motion Pursuant To 50 U.S.C. § 1806(f) To Discover Or Obtain Material Relating To Electronic Surveillance.

The following exhibits A through CC attached to this declaration are true and correct copies or transcripts of public statements or documents made and executed by the defendants or their agents:

Exhibit	**Title/Description**
Exhibit A	President's Radio Address, December 17, 2005
Exhibit B	Excerpt from Press Conference of the President, December 19, 2005
Exhibit C	Excerpts from Press Briefing by Attorney General Alberto Gonzales and General Michael Hayden, December 19, 2005
Exhibit D	Excerpts from Responses to Questions for Lt. General Keith B. Alexander from Senate Judiciary Committee, December 19, 2006
Exhibit E	Excerpts from U.S. Department of Justice, *Legal Authorities Supporting the Activities of the National Security Agency Described by the President* (Jan. 19, 2006)
Exhibit F	Excerpts from Interview with John Yoo, *Frontline*, July 5, 2008
Exhibit G	Excerpts from transcript of testimony by Former Deputy Attorney General James B. Comey, Senate Judiciary Committee, May 15, 2007
Exhibit H	Answers to Written Questions to Former Deputy Attorney General James B. Comey Submitted by Senator Patrick Leahy, May 22, 2007
Exhibit I	Excerpts from transcript of testimony by FBI Director Robert Mueller, House Judiciary Committee, July 26, 2007
Exhibit J	Testimony of Gary M. Bald, Senate Caucus on International Narcotics Control, March 4, 2004
Exhibit K	Press Release, Treasury Department, February 19, 2004

Exhibit L	Testimony of John S. Pistole, Senate Committee on Banking, Housing and Urban Affairs, September 25, 2003
Exhibit M	Excerpts from testimony of R. Richard Newcomb, House Financial Services Subcommittee on Oversight and Investigations, June 16, 2004
Exhibit N	Letter from R. Richard Newcomb to Lynne Bernabei, April 23, 2004
Exhibit O	Letter from R. Richard Newcomb to Lynne Bernebei, July 23, 2004
Exhibit P	Press Release, Treasury Department, September 9, 2004
Exhibit Q	Supplemental Declaration of Frances R. Hourihan, May 10, 2006
Exhibit R	Letter from Adam J. Szubin to Lynne Bernabei and Thomas Nelson, February 6, 2008
Exhibit S	Speech by John S. Pistole to American Bankers Association/American Bar Association Money Laundering Enforcement Conference, October 22, 2007
Exhibit T	Excerpts from Brief for Appellants [defendants] in Ninth Circuit Court of Appeals, June 6, 2007
Exhibit U	Excerpts from Government's Memorandum In Support Of Pretrial Detention, *United States v. Sedaghaty*, August 21, 2007
Exhibit V	Testimony of General Michael V. Hayden, Senate Judiciary Committee, July 26, 2006
Exhibit W	Excerpts from testimony of Mike McConnell, Senate Select Committee on Intelligence, May 1, 2007
Exhibit X	Excerpts from testimony of Mike McConnell and Kenneth Wainstein, House Select Intelligence Committee, September 20, 2007
Exhibit Y	Excerpts from transcript of hearing, *American Civil Liberties Union v. National Security Agency*, June 12, 2006
Exhibit Z	Excerpts from memorandum of Howard Mendelsohn to Adam J. Szubin regarding redesignation of Al-Haramain Islamic Foundation, February 6, 2008
Exhibit AA	Excerpts from transcript of Amerithrax Investigation Press Conference, August 6, 2008
Exhibit BB	FBI statement regarding Anthrax Investigation, August 6, 2008
Exhibit CC	Excerpts from Brief for the Respondents in Opposition to Petition for Writ of Certiorari, *American Civil Liberties Union v. National Security Agency*, December 2007

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 30th day of September, 2008.

Jon B. Eisenberg